

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANGELIQUE MARIE STEWART  
*Plaintiff*

v.

NANCY A. BERRYHILL, Acting  
Commissioner of Social Security  
Administration  
*Defendant*

: CIVIL ACTION  
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: No. 16-6459  
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**ORDER**

AND NOW, this 23<sup>rd</sup> day of January 2018, upon consideration of the *Report and Recommendation* issued on January 3, 2018, by the Honorable Richard A. Lloret, United States Magistrate Judge (“the Magistrate Judge”), [ECF 14], and after a careful and independent review of the record, this Court concurs with the Magistrate Judge’s conclusion that the findings of fact and conclusions of law, as determined by the Administrative Law Judge in this matter, are supported by substantial evidence.<sup>1</sup> Consequently, it is hereby **ORDERED** that:

1. The *Report and Recommendation* is **APPROVED** and **ADOPTED**.
2. Plaintiff’s Request for Review is **DENIED**.
3. Pursuant to 42 U.S.C. § 405(g), the decision of the Acting Commissioner of Social Security is **AFFIRMED**.

**BY THE COURT:**

/s/ Nitza I. Quiñones Alejandro

**NITZA I. QUIÑONES ALEJANDRO**  
*Judge, United States District Court*

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<sup>1</sup> Neither Plaintiff nor the Acting Commissioner filed any objection and/or response to the *Report and Recommendation* (the “R&R”). In the absence of any objections, this Court reviewed the R&R under the “plain error” standard. *See Facyson v. Barnhart*, 2003 WL 22436274, at \*2 (E.D. Pa. May 30, 2003). Under this plain error standard of review, an R&R should only be rejected if the magistrate judge commits an error that was “(1) clear or obvious, (2) affect[ed] ‘substantial rights,’ and (3) seriously affected the fairness, integrity or public reputation of judicial proceedings.” *Leyva v. Williams*, 504 F.3d 357, 363 (3d Cir. 2007) (internal quotations and citations omitted). Here, after a thorough review of the record and the R&R, this Court finds no error and, therefore, adopts the R&R in its entirety.